
Appeal Decision

Site visit made on 3 May 2022

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 MAY 2022

Appeal Ref: APP/D2510/W/22/3291656

Land off Horncastle Road Louth Lincolnshire LN11 9QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Ramsden against the decision of East Lindsey District Council.
 - The application Ref N/105/01823/21, dated 22 July 2021, was refused by notice dated 2 November 2021.
 - The development proposed is the Erection of 2no. detached houses and construction of a vehicular access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr J Ramsden against East Lindsey District Council. This application is the subject of a separate Decision.

Preliminary Matter

3. For clarity in the banner heading above I have taken the description of development from the Council decision notice, the adjustment of the description to include addition of the vehicular access more precisely reflects the development proposed.

Main Issues

4. The main issues in this case are;
 - Whether the site is a suitable site for housing development having regard to local and national policy; and
 - Whether the proposed development would harm the character and appearance of the area having particular regard to the Lincolnshire Wolds AONB.

Reasons

Suitable Location

5. Louth is classified as a town in the East Lindsey Local Plan (ELP) (2018), and has a range of services and facilities, where in line with guidance in the NPPF (the Framework) there is a presumption in favour of sustainable development. In addressing the importance of new growth in sustainable locations Policy SP3

allows for windfall sites in appropriate locations either within the settlement and outside of but immediately adjacent to the developed footprint of the settlement.

6. The appeal site is broadly a triangular parcel of land of approximately 0.5 hectares, fronting on to the eastern side of Horncastle Road, but extending behind a terrace of residential properties located to the northeast. This terrace is itself physically separate from other development closer to the town being separated by a field from the development to the north.
7. Policy SP3 specifically references that "individual buildings or groups of dispersed buildings which are clearly detached from the continuous built-up area of the settlement" should not be regarded as falling within the definition of developed footprint. I regard the terrace adjacent to the appeal site as one such example of this.
8. In this regard I consider that the appeal site cannot reasonably be classed as within, or immediately adjacent to the developed footprint of the settlement. On this basis the proposed development would not comply with the tests set out within Policy SP3 of the East Lindsey Local Plan which amongst other things seeks to achieve a sustainable pattern of development.

Character and Appearance

9. Currently, the appeal site has the appearance of a paddock set behind a native hedgerow, hedges also form the other two boundaries of the site, with the shared boundary to the wastewater treatment works reinforced by a fence.
10. Along the southern boundary a track runs through the site to a property set behind the wastewater treatment works, which is also located on Horncastle Road. This facility marks the furthest extent of built development on this side of the road, on the approach into the town of Louth. Whilst it is quite a large facility it is set behind a landscaping buffer which provides a good level of screening from the road, as such the appeal site remains within a green and rural setting.
11. Opposite, is Louth Golf Club, while this is also set behind a hedgerow, the gaps through it show this area to be of a quite different character, being of a more managed and manicured appearance than the appeal site.
12. Horncastle Road is one of the arteries running into Louth and visually provides a clear transition from countryside, at its junction with the A16 Louth Bypass as you move north along the road to a more urban setting. The appeal site contributes to this area of transition between the rural and urban in providing an undeveloped gap between the wastewater treatment works and the terrace.
13. Paragraph 176 of the Framework requires that great weight be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB). The introduction of two large, detached dwellings set significantly into the site beyond the rear of the terrace would introduce an incongruous form of development in this rural setting and would thereby neither conserve nor enhance the character and appearance of this site within the Lincolnshire Wolds AONB.
14. As such I consider the proposed dwellings would have an adverse effect on the character and appearance of the AONB contrary to policies SP10 and SP23 of

the East Lindsey Local Plan (2018) which amongst other things seek to protect local distinctiveness and the natural beauty and special qualities of the Lincolnshire Wolds AONB.

Other Matters

15. The Appellant has referred me to a previous appeal decision off Halfpenny Lane APP/D2510/W/20/3254543 which was allowed. This being a scheme for a replacement dwelling I do not consider is comparable to the appeal scheme before me and consequently it does not carry weight in my decision.
16. Reference has also been made to a Council decision N/105/00801/20 for a new dwelling located on the opposite side of the road to the northeast. While I do not have the full history of that scheme, I do not regard the character of the two sides of the road as similar. The appeal site is within the AONB and is located further south, is more distant from the town, and it is also part of a wider area of countryside as opposed to being adjacent to Louth Golf Course. These differences I regard as material, as such I do not consider that this decision has a bearing on the appeal decision before me.

Conclusions

17. For the reasons given the appeal is dismissed.

Edwin Maund

INSPECTOR